

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF
ELECTRICAL CONTRACTORS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

Administrative Action

RICHARD HOGAN :
License No. 12057 :

FINAL ORDER :
OF DISCIPLINE :

TO ENGAGE IN ELECTRICAL :
CONTRACTING IN THE STATE :
OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent is a licensed electrical contractor in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On September 15, 1998 and November 9, 1998, the Board sent letters to respondent with regard to complaints received about work respondent allegedly performed on McKinley Avenue in Trenton, New Jersey, which had violations that respondent failed to correct. Respondent did not reply to these letters.

3. On February 9, 1999, respondent telephoned the Board and stated that he had been in the hospital, but would contact an electrical inspector to obtain proof that violations on the McKinley Avenue job had been corrected.

4. When respondent did not again contact the Board, the Board sent to him further letters of inquiry dated April 1, 1999 and May 24, 1999, by certified and regular mail. The certified mail dated April 1, 1999 was returned, unclaimed; the certified mail dated May 24, 1999, was signed by respondent. The letters sent regular mail were not returned. No response was received from respondent.

5. Respondent was subpoenaed to appear before the Board on August 16, 2000 at 9:00 A.M. to give testimony and supply documentation about the McKinley Avenue complaint.

6. Shortly after 9:00 A.M. on August 16, 2000, respondent telephoned the Board to indicate that he would not be appearing before the Board, because he had obtained a final inspection on the McKinley Avenue work, which he was forwarding to the Board. Respondent was informed that he had been subpoenaed to appear to answer questions and supply documentation to the Board, regardless of whether he had obtained a final inspection of the McKinley Avenue job. Respondent was directed to appear before the Board later that morning.

7. Respondent stated that he did not have transportation. He was advised to use public transportation, and was advised that the Board would expect to see him later that day. Respondent stated that he would try to make an appearance that day. However respondent did not make an appearance.

CONCLUSIONS OF LAW

1. The above conduct, taken as a whole, demonstrates clearly that respondent has failed to cooperate with an investigation of the Board, in violation of N.J.A.C. 13:45C-1.2.

2. Respondent is subject to sanctions pursuant to N.J.S.A. 45:1-21(h), in that he failed to comply with an act or regulation administered by the Board.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline imposing a civil penalty and costs upon respondent was entered on October 24, 2000 and a copy was forwarded to respondent's last known address by means of both regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the record reflects that the Provisional Order was served upon respondent, no response has been received to date. Accordingly, the Board considered the matter, determined that further proceedings were not necessary, and that the Provisional Order should be made final.

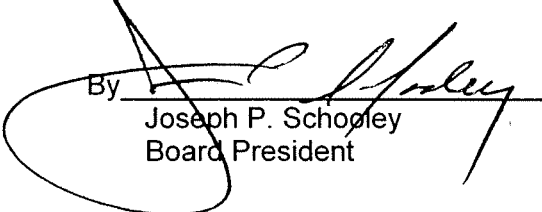
ACCORDINGLY, IT IS on this *17th* day of *Feb*, 2001,

ORDERED that:

1. Respondent is hereby assessed a civil penalty in the amount of \$1,500.00 pursuant to N.J.S.A. 45:1-22 for violation of N.J.S.A. 45:1-21(h), and costs to the Board in the amount of \$100.53, for a total of \$1,600.53. This payment is to be forwarded to the Board within fifteen days following the date of this Order, by means of a certified check or money order sent to the attention of: Barbara Cook, Executive Director, Board of Examiners of Electrical Contractors, P.O. Box 45006, 124 Halsey Street, 6th Floor, Newark, NJ 07101.

NEW JERSEY STATE BOARD OF
EXAMINERS OF ELECTRICAL CONTRACTORS

By


Joseph P. Schooley
Board President